

Minutes
Air Pollution Control Board
Indiana Government Center South
Conference Room C
402 West Washington Street
Indianapolis, Indiana

December 4, 2002

1:01 p.m.

1. Mr. John Walker, Chairman, called the meeting to order. He noted that a quorum was present.

CALL TO ORDER
QUORUM

2. Chairman Walker introduced the board members.

INTRODUCTION OF
MEMBERS

Present: Mr. John Walker, Chairman
Mr. Thomas Anderson
Mr. David Benshoof
Mr. John Bacone, Proxy, Department of Natural Resources
Mr. Howard Cundiff, Proxy, State Board of Health
Mr. Marlow Harmon
Ms. Michaela Kendall, Proxy, Lieutenant Governor
Dr. James Miner
Mr. Randy Staley
Dr. Phil Stevens

Also present were Ms. Janet McCabe, Assistant Commissioner, and Ms. Kathy Watson, Branch Chief. Others are recorded on a separate sheet and made a part of this record. A court reporter was present and a transcript is available for review.

3. Ms. McCabe reported that U.S. EPA has informed states that U.S. EPA will issue designations for nonattainment areas under the eight-hour ozone standard in April 2004, and has directed states to give their recommendations to U.S. EPA, under the process outlined in the Clean Air Act, a year in advance or in 2003.

REPORTS

Ms. McCabe reported on activities that the department has been engaged in over the last few months with respect to the Senate Enrolled Act 259, which is the bill that directed the department to work with the Board of Health and others on information about air toxics in Indiana.

Ms. McCabe reported on recommendations that came out of the Environmental Quality Service Council with respect to air and Air Board matters, specifically with reference to the emission reporting rule.

Mr. Paul Dubenetzky, Permits Branch Chief, presented the Office of Air Quality Annual Permit Report. The statistics and fiscal information presented were based on the fiscal year that ended June 30, 2002.

4. Chairman Walker introduced the August 7, 2002, Air Pollution Control Board minutes. **MINUTES**

Mr. Anderson moved to adopt the August 7, 2002, Air Pollution Control Board's Minutes.
Mr. Staley seconded. The motion passed unanimously.

Chairman Walker introduced the September 4, 2002, Air Pollution Control Board minutes.

Mr. Benshoof moved to adopt the September 4, 2002, Air Pollution Control Board's Minutes.
Ms. Kendall seconded. The motion passed unanimously.

5. Chairman Walker stated that the public hearing that was opened November 6, 2002 concerning consideration of preliminary adoption of amendments to rules 326 IAC 6-1-10.1 and 326 IAC 6-1-10.2 for U.S. Steel Lake County PM10 Requirements would be continued to the February 5, 2003, meeting of the Board. **CONTINUATION OF PUBLIC HEARING FOR PRELIMINARY ADOPTION OF AMENDMENTS TO RULE 326 IAC 6-1-10.1 and 326 IAC 6-1-10.2, U. S. Steel Lake County PM10 Requirements**

6. Chairman Walker stated that this is a continuation of the public hearing before the Air Pollution Control Board that was opened on November 6, 2002, to consider final adoption of amendments to rule 326 IAC 6-1-14, concerning Richmond Power and Light, Wayne County. Chairman Walker introduced Exhibit 1A, the proposed rule as preliminarily adopted with IDEM's suggested changes incorporated, and Exhibit 1B, the rule as preliminarily adopted, into the record of the hearing. **PUBLIC HEARING FOR FINAL ADOPTION OF AMENDMENTS TO Rule 326 IAC 6-1-14, Richmond Power and Light, Wayne County**

Ms. Jean Beauchamp, rulewriter, stated that the proposed rule corrected an oversight from a rulemaking in 1995 and reported on the new rates for boilers numbers 1 and 2. The rule correctly states that the combined emissions from both boilers shall not exceed twenty-two hundredths pound per million BTU. The 1995 rule also contained emission limits expressed in tons per year based on the pounds per million BTU. The tons per year emission limits were not changed at the time the pounds per million BTU limits were changed. Ms. Beauchamp stated that IDEM proposed to change the tons per year emission limits to be consistent with the pounds per million BTU and that there would be no increase or decrease of emission that would occur. U.S. EPA and IDEM technical staff agreed to delete the phrase "or to 700 tons

per year” from the footnote to the table to limit the total tons per year. The tons per year for each boiler is listed in the table.

Ms. Loraine Seyfried, Attorney, representing Michigan Power and Light, thanked the agency and the board for their work in revising the rule.

Mr. Bacone moved to adopt the amendments to rule 326 IAC 6-1-14. Mr. Harmon seconded. The motion passed unanimously.

Mr. Anderson moved to final adopt rule 326 IAC 6-1-14 as amended. Dr. Stevens seconded. The motion passed 9 - 0.

7. Chairman Walker stated that this is a continuation of the public hearing before the Air Pollution Control Board that was opened on November 6, 2002, regarding final adoption of new rule 326 IAC 20-48 and amendments to rule 326 IAC 20-25, concerning hazardous air pollutant emissions from boat manufacturing. Chairman Walker introduced Exhibit 2A, the proposed rule as preliminarily adopted with IDEM’s suggested changes incorporated, and Exhibit 2B, the rule as preliminarily adopted, into the record of the hearing.

**PUBLIC HEARING
FOR FINAL ADOPTION
OF NEW RULE 326 IAC
20-48 AND
AMENDMENTS TO
RULE 326 IAC 20-25,
Hazardous Air Pollutant
Emissions from Boat**

Ms. Jean Beauchamp, rulewriter, stated the federal rule to control hazardous air pollutants from boat manufacturing was final in August, 2001. The department can propose a rule that incorporates the federal rule with no changes, or it can propose a rule that is more stringent. Ms. Beauchamp stated that the conditions of the existing state styrene rule that are more stringent than the federal rule will continue to apply to boat manufacturers, such as work practice standards and operator training. All requirements for boat manufacturers are proposed to be contained in a single rule to make it easier to determine compliance with the rule. Ms. Beauchamp asked the board to note subsection (c)(3) that says “Upon startup, whichever is later, for a new major source.” She stated that “whichever is later” is redundant. Ms. Beauchamp asked the board to final adopt the proposed rule, with or without deleting the redundant phrase.

Mr. Anderson moved to amend rule 326 IAC 20-48-1 by striking subsection (c)(3) on page 8, which states “whichever is later.” Dr. Miner seconded. The motion passed unanimously.

Dr. Miner moved to adopt the amendments to 326 IAC 20-25. Mr. Anderson seconded. The motion passed unanimously.

Ms. Kendall moved to final adopt new rule 20-48 and rule 3326 IAC 20-25 as amended. Dr. Miner seconded. The motion passed 9-0.

8. Chairman Walker stated that this is a continuation of the public hearing before the Air Pollution Control Board opened November 6, 2002, regarding preliminary adoption of amendments to rules 326 IAC 10-3 and 326 IAC 10-4, concerning NOx Corrections. Chairman Walker introduced Exhibit 3, the draft rule, into the record of the hearing.

**PUBLIC HEARING
FOR PRELIMINARY
ADOPTION OF
RULES 326 IAC 10-3
AND 326 IAC 10-4,**

Ms. Watson stated that this rulemaking would revise the Indiana NOx rule that the board adopted on June 6, 2001. The rulemaking before the board addresses issues that arose late in the June 6, 2001 rulemaking. Ms. Watson asked the board to preliminarily adopt rules 326 IAC 10-3 and 326 IAC 10-4 as amended.

Mr. Jim Alexander, representing U.S. Steel, located in Gary, Indiana, expressed support of the preliminary adoption of the rule.

Ms. Robins Mills Ridgeway, representing Purdue University, thanked the department for its flexible approach to its NOx allocation and requested consideration of a flexible year-to-year supplemental allocation of NOx credits to Purdue, citing the cost of compliance.

Dr. Stevens moved to preliminarily adopt rules 326 IAC 10-3 and 326 IAC 10-4 as amended.
Dr. Miner seconded. The motion passed unanimously.

9. The next meeting was tentatively scheduled for Wednesday, February 5, 2003 at 1:00 p.m, Indiana Government Center South, Indianapolis, Indiana in Conference Room C.

NEXT MEETING

10. Mr. Benshoof moved to adjourn the meeting. Mr. Anderson seconded. The vote was unanimous. Chairman Walker adjourned the meeting at 2:15 p.m.

ADJOURNMENT

John Walker, Chairman

These minutes were taken from the December 4, 2002 transcript, and were written on March 6, 2003, by Karol T. Chuma, Office of Air Quality.